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UMCC

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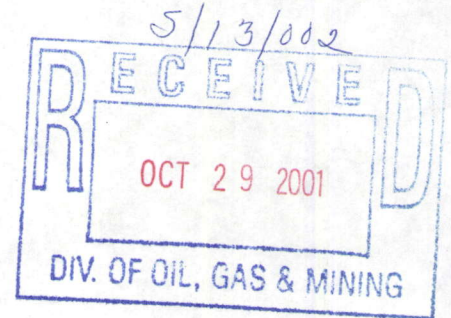
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December 30, 2000

Ashley National Forest  
355 North Vernal Avenue  
Vernal, Utah 84078

Attn: Chauncie Todd

Re: Additional Clarifications to 1999 UMCC Plan of Operations



Dear Chauncie:

Per your e-mail request dated 11/30/00, we are providing the following clarifications to the Plan of Operations. These items appear to be supplemental and have either been previously addressed in the POO or are safety issues not originally required per the Forest Service POO form document (FS-2800-5).

1. Security and Public Safety

Three existing gates on the access road can be used to limit public entry to the camp site, access road and test pit area. Closure of two of the three gates is at the discretion of the Forest Service. UMCC would recommend that all three be closed to public use during test pit activities for safety and security reasons. Since the road is generally not open for public use, this should not create an undue burden on the public.

In terms of the camp site, closing of the lower gate at main road to Moon Lake (FS Development Road 131) will significantly restrict public access to all activities. For project safety, UMCC plans on maintaining one person at the camp site whenever equipment is present (primarily during sample ore haul/transfer work) and during test pit excavation/reclamation work.

The upper gate on the claims will remain open during haul operations, but the two lower gates can be locked (this will be up to the Forest Service since UMCC has no control over closure of these gates). The middle gate just above the camp site may be left unlocked during access road haul work since there will be a person at the camp to control egress. During overburden removal, stockpile and reclamation activities, the upper gate can also be locked to prevent public access. Truck drivers will also contact the camp site individual prior to leaving the ore transfer location for the camp site. It will be the responsibility of this person to warn access road travelers and truck drivers of the traffic conditions.

As stated in previous correspondence, the amount of sample ore to be hauled is minor and will negligibly impact the public travel way. Per the POO, only 3 to 4 haul trucks will enter the paved main road each day during the 16-day ore haul period, or about 1 truck



every 2 hours. A few passenger vehicles will also enter once or twice a day during the remainder of the work. If requested by the Forest Service, UMCC will post appropriate signage at the intersection and require the camp site individual assigned to safety and security to act as a flagman when haul trucks enter the public travel way.

In terms of travel on county and state highways to the plant site in Price, Utah, all trucks will be hauling under legal weight limits and should pose no greater danger to the public than the present truck traffic that frequently use the same public roads (such as timber logging and coal haul trucks that consistently use these roads in Duchesne and Carbon Counties). Hauling will be contracted to a licensed trucking firm and drivers will be contractually obligated to comply with all Federal, State and Local traffic regulations.

## 2. Road Impacts

Road impacts are explained in Section G of the POO Supplemental Discussion.

Only 3 to 4 large haul trucks will travel paved roads during a 16-day period with no road impacts expected. Analysis previously provided in the POO shows that test pit road use will result in about a 0.001% reduction of pavement life for the paved FS Development Road 131 and the county road section through to Mountain Home, Utah. Impacts to more substantial paved highways will be even less. From previous conversations with the Utah Department of Transportation, no maintenance agreements are needed with agencies for these incidental road uses.

It must be noted that timber log hauling truck have regularly used the county section of the paved road south of Bear Wallow and coal trucks constantly travel the main highways between Duchesne and Carbon Counties. UMCC's use is consistent with present traffic on these paved roadways.

## 3. Fuels and other Equipment-related Fluids

Discussion of these items is provided in the POO, Sections IV(D), IV(E) and V(G).

Other than fuel (diesel, gas) and other equipment operating fluids (hydraulic fluids, battery acid, brake fluid, transmission fluid) that are contained within normal vehicle and heavy equipment operating tanks, none of these materials will be stored at the camp site or pit area. Per 40 CFR 112, an operation is exempt from a spill prevention control and countermeasure plan (SPCC) if total oil or oil products stored above ground are less than 1,320 gallons and if no single container exceeds a capacity of 660 gallons. Total fuel and operating fluids needed or to be used for the test pit project will not exceed these limits.

To eliminate or minimize fuel and fluid spills, work vehicles and haul trucks will fuel at off-site commercial fueling stations prior to arrival the site for work each day or as needed to perform the work. Heavy equipment is to be fueled and serviced prior to site mobilization. Gas-powered conveyors will be fueled as needed via 5-gallon or smaller hand-operated fuel cans (not to be stored on site). Because of the limited time required for the test pit project, it is expected that heavy equipment will only need to be re-fueled once or twice



at the test pit site. Typical fueling by the contractor is via sealed 55-gallon drums and hand-operated pumps. Heavy equipment that requires emergency on-site servicing (greasing or repair) will be done on level ground in an area pre-designated by the Forest Service. All other equipment servicing will be done at approved off-forest repair facilities.

UMCC will contractually obligate contractors to perform the following measures in the event of a fuel or fluid spill from vehicles or heavy equipment: (a) the contractor's superintendent will make a record of the type and volume of spill along with the location and date of occurrence, (b) all soil saturated by spilled fluids will be immediately excavated and stored for removal in 55-gallon drums (contractor will be required to keep at least 3 empty drums at the camp site and at the ore transfer site at all times), and (c) drums containing contaminated soil will be removed from the forest and disposed of in accordance with all Federal, State and Local regulations.

#### 4. Forest Fire Evacuation Plan

UMCC desires to utilize evacuation plans already in place by the Forest Service for their personnel and the public at the Moon Lake Lodge. Please provide this information to UMCC as soon as possible. In addition, UMCC will take the actions identified in the following discussion to prepare for a possible forest fire.

Communication is the most effective method for providing early evacuation from a wildfire. All truck drivers on the access road and the superintendent at the test pit site will have mobile phones for contact. If mobile phones cannot reach all areas of work, then UMCC will obtain radios for on-site personnel.

UMCC will either assign an on-site individual as the contact person for the Forest Service or the contractor superintendent will act as the contact. The Forest Service will be given names and phone numbers at the start of work. The Forest Service will call the UMCC contact person in the event of a wildfire being reported in the area. This person will then contact all others at the site by either mobile phone or radio. All work will cease and personnel will report to the camp site as quickly as possible. Once all personnel are accounted for, the group will leave the forest as directed by the Forest Service.

The access road is the only safe escape route for vehicle travel. If an advancing wildfire is expected to block the access road prior to exit (vehicle travel takes about 45 minutes), then, upon notification of the Forest Service, all personnel shall be directed to move to a safety zone pre-designated by the Forest Service. This will be an area near the test pit site deemed safe by the Forest Service in terms of general topography and vegetation.

It should be noted that UMCC does not intend to perform work at the site in times of extreme fire danger because of liability issues associated with the potential for heavy equipment performing work to start a fire.



5. Sample Ore Haul Schedule

UMCC cannot provide a firm schedule without the Forest Service committing to firm approval date of the EA and the POO. We have planned to perform the test pit work for the past 3 years and have needed to reschedule each time. UMCC will commit to performing all hauling on non-holiday week days (we do not desire to pay holiday and weekend overtime for this project).

Please contact me if you have any other questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Kandarlis', with a stylized, sweeping flourish at the end.

Peter Kandarlis, President  
Uintah Mountain Copper Company

cc: Pamela Kandarlis-Cha  
Bert Kulesza  
Joe Bistryski